

**CHIROPRACTIC EXAMINING BOARD
MADISON, WI
MINUTES
NOVEMBER 21, 2002**

PRESENT: Susan Feith, James Greenwald, Bevier "Brouck" Sleight,
James Rosemeyer, Dale Strama

EXCUSED: Char Glocke

STAFF PRESENT: Kimberly Nania, John Schweitzer, Grace Schwingel

GUESTS: Diana Tillinger, WCA, Ron Hermes, WPTA

CALL TO ORDER

Dale Strama, Chair, called the meeting to order at 8:04 a.m. A quorum of 5 members was present.

AGENDA

Amendments to Agenda: Stipulation for Steven Puckette in Closed Session. Review of application for Joseph Probst-an additional piece of material was received; several letters and information for Patrick Jozwiak, D.C. will be discussed under Legal Counsel. It was noted that the agenda should be corrected to show that Dr. **Dale** Strama (not James Strama) is a Screening Committee member.

Dr. Conway, a new board appointee, will be at the Board's next meeting. The January meeting will be Dale Strama's last meeting.

MOTION: Brouck Sleight moved, seconded by James Rosemeyer, to approve the agenda as amended. Motion carried unanimously.

MINUTES OF OCTOBER 17, 2002

Amendments to Minutes: 1) On page 4 of the minutes, under the motion regarding Leif Hulling, the Board would like to change the last line of the motion to read ". . . it would **consider** a stipulated revocation of the license of Leif Hulling, D.C.; on the motion regarding Adrian Tarter, the Board would like to change the last line of the motion to read ". . . the Board would **consider granting** Adrian L. Tarter a Wisconsin license." 2) On page 5 of the minutes, under Other Board Business, the Board would like to change the sentence to read "On Monday, October 21st, Darwin Tichenor will take care of making hotel reservations for Dr. Brouck Sleight and Dr. James Weber and Susan Feith to attend the National Exam in Minneapolis. Dr. James Greenwald will attend the National Exam in Davenport.

MOTION: Susan Feith moved, seconded by James Rosemeyer, to approve the minutes of October 17, 2002, as amended. Motion carried unanimously.

ADMINISTRATIVE REPORT

There was nothing to report.

PRESENTATION OF PROPOSED STIPULATIONS THAT MAY BE SIGNED AFTER MAILING OF AGENDA

Brouck Sleight presented the stipulation of Dr. Steven Puckette in open session. The stipulation will be deliberated on in closed session.

REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES AND PRESS RELEASES

Legal Counsel, John Schweitzer, distributed a stipulation and order for the dismissal of the case against the Chiropractic Board and reviewed the letter to Attorney Harold Harlowe regarding the Board's decision in the matter concerning Dr. Riegleman.

REQUEST FOR APPROVAL OF WESTERN STATES CHIROPRACTIC COLLEGE'S PRECEPTORSHIP PROGRAM

The Board discussed the approval of the preceptorship program for Western States Chiropractic College.

MOTION: Brouck Sleight moved, seconded by Susan Feith, to inform Western States Chiropractic College that the Board approved their Preceptorship Program. Individual preceptors will not be approved unless they have had 5 years of experience per Wisconsin requirements. The Board noted that while the Preceptorship Program is approved, some of what they teach is beyond the scope of practice in Wisconsin. Motion carried unanimously.

PRECEPTOR APPROVAL FOR REQUESTS RECEIVED AFTER THE PRINTING OF THE AGENDA

None

PATIENT REFERRAL PROPOSAL FROM EVOLOCITY

The Board briefly discussed notices regarding patient referrals that are being faxed to Chiropractic offices. The Board asked Brouck Sleight to write an article for the Regulatory Digest about maintaining Wisconsin's scope of practice, referencing electro diagnosis, chelation therapy, evolocity as examples of the type of faxed or internet material they may be receiving.

CORRESPONDENCE RE: LIFE UNIVERSITY AND CCE ACCREDITATION ISSUES

The Board discussed the impact of the accreditation issues of Life University. Any graduate from the date of revocation forward is not eligible for licensure in Wisconsin since the school is no longer accredited.

The Board also reviewed another letter regarding continuing education presented by Gail Pizarro. The Board authorized Legal Counsel to respond to this letter and the Letter from Life University

MOTION: James Greenwald moved, seconded by Brouck Sleight, to authorize Legal Counsel, John Schweitzer, to respond to the 10/24/02 letter from Life University regarding their loss of accreditation and the impact that has on their ability to grant continuing education courses. Motion carried unanimously.

REVIEW OF REVISED CE APPLICATION – GAIL PIZARRO

Gail Pizarro of the Exam Office reviewed the revised CE application form with the Board. The new form will be sent out starting in January 2003. The issue of continuing education courses being viewed as a profit-making venture was discussed and it was suggested that one solution would be to simply eliminate the continuing education requirements.

Dr. Pizarro indicated that another examiner was needed and asked for and received recommendations from the Board. Susan Feith will attend the State Exam as an observer.

MOTION: James Rosemeyer moved, seconded by James Greenwald, to approve the new and revised application form. Motion carried unanimously.

CCE BOARD OF DIRECTORS ELECTIONS

It was noted that nominations for people to serve on the Council on Chiropractic Education (CCE) Board of Directors were to be submitted by 10/31/02.

CORRESPONDENCE AND PHONE INQUIRIES BY LEGAL COUNSEL

It is noted that Dale Strama left the meeting before the discussion concerning Patrick Jozwiak, D.C. Legal Counsel, John Schweitzer, presented the application of Patrick Jozwiak, D.C. This matter will be deliberated on in closed session.

CORRESPONDENCE AND PHONE INQUIRIES BY LEGAL COUNSEL

Topics discussed were: 1) same-day discounts for cash payments and the impact and implications this has on insurance; 2) alternative veterinarian practices involving chiropractic adjustments; 3) the proper billing protocol when chiropractors send people to mobile testing units; 4) the requirements for a professional administering anesthesiology in MVA-whether a nurse anesthetist can perform this service or if it requires the services of an anesthesiologist. The Board reviewed the inquiries and directed Legal Counsel's responses.

CLOSED SESSION

MOTION: Brouck Sleight moved, seconded by James Rosemeyer, to adjourn to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) for the purpose of deliberating on proposed stipulations, administrative warnings, monitoring issues, request to appear before the Board, request for extension to complete CE requirements, license suspension, application review for licensure by endorsement, review of applicant conviction, Division of Enforcement Case Status Report and to consult with Legal Counsel. Motion was carried by a role call vote: Susan Feith-yes, James Greenwald-yes, Bevier “Brouck” Sleight-yes, James Rosemeyer-yes, Dale Strama-yes.

Open Session recessed at 9:45 a.m.

RECONVENE INTO OPEN SESSION

MOTION: James Rosemeyer moved, seconded by Susan Feith, to reconvene into Open Session at 10:25 a.m. Motion carried unanimously.

VOTE ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

APPLICATION FOR LICENSURE BY ENDORSEMENT

PATRICK JOZWIAK, D.C.

Dale Strama left while board deliberated on the matter pertaining to Patrick Jozwiak, D.C.

MOTION: Brouck Sleight moved, seconded by James Rosemeyer, to grant Patrick Jozwiak, D.C. Wisconsin licensure by endorsement after the Board receives confirmation from the Idaho Board concerning the information presented by Patrick Jozwiak regarding the Idaho Board’s testing procedures and requirements. Dale Strama abstained. Motion carried.

PROPOSED STIPULATION

STEVEN PUCKETTE, D.C.

MOTION: Susan Feith moved, seconded by James Greenwald, to accept the findings of fact, conclusions of law and order in the matter concerning Steven Puckette, D.C. Motion carried unanimously.

DELIBERATION OF PROPOSED STIPULATIONS THAT MAY BE SIGNED AFTER MAILING OF AGENDA

None

**DELIBERATION OF PROPOSED ADMINISTRATIVE WARNINGS RECEIVED
AFTER MAILING OF AGENDA**

None

**DELIBERATION ON MONITORING ISSUES THAT MAY BE RECEIVED AFTER
MAILING OF AGENDA**

None

REQUEST FOR EXTENSION TO COMPLETE CE REQUIREMENTS

GEORGE J. HANACIK, DC

MOTION: James Greenwald moved, seconded by Brouck Sleight, to permit George Hanacik, D.C. to renew his license, giving him an extension to complete the CE requirements for the next biennium if he informs the Board when he wishes to return to practice and when he anticipates he will complete the CE requirements for the 2001-2002 biennium.

CORRESPONDENCE RE: LICENSE SUSPENSION OF DAN RIEGELMAN, DC

There was no action necessary by the Board in the matter concerning the license suspension of Dan Riegelman, D.C..

APPLICATION REVIEW FOR LICENSURE BY ENDORSEMENT

NANCY J. SOLIVEN, DC

MOTION: James Greenwald moved, seconded by James Rosemeyer, to grant Nancy Soliven, D.C. Wisconsin licensure by endorsement. Motion carried unanimously.

REVIEW OF APPLICANT CONVICTION

JOSEPH C. PROBST, D.C.

MOTION: Brouck Sleight moved, seconded by James Rosemeyer, to deny the application for Wisconsin licensure of Joseph Probst, D.C. based on a substantially related conviction. Motion carried unanimously.

DIVISION OF ENFORCEMENT – CASE STATUS REPORT

There were no case closings for the Board to review.

CONSULT WITH LEGAL COUNSEL

The Board consulted with Legal Counsel earlier in the meeting.

INFORMATION ITEMS

None

OTHER BOARD BUSINESS

The Board requested that the next Regulatory Digest be published early in 2003. The deadline for getting articles in is 12/4/02. James Rosemeyer will write an article regarding the fact that CE requirements must be obtained from an accredited school.

At the Board's request, Legal Counsel, John Schweitzer, will prepare an article for the Regulatory Digest regarding the dismissal of the WCA case against the Board and submit a press release to ICA.

A brief report was given on the National Part IV exam by those who attended it. It will be discussed further at the December 19, 2002 meeting.

ADJOURNMENT

MOTION: James Rosemeyer moved, seconded by James Greenwald, to adjourn the meeting at 11:00 a.m. Motion carried unanimously.

Next Meeting: Thursday, December 19, 2002

**RECONVENE INTO CLOSED SESSION IMMEDIATELY FOLLOWING OPEN
SESSION**

SCREENING COMMITTEE – Screen informal complaints – Drs. Dale Strama, James Rosenmeyer and Susan Feith and Division of Enforcement Staff.